

Image AP 1/16/04 \$546

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
15479A (PC9898B)

In Re Application Of: **David A. Brake, et al.**

Serial No.

10036351

Filing Date

November 9, 2001

Examiner

J. E. Graser

Group Art Unit

1645

Invention: **NEOSPORA VACCINE**

TO THE COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

July 3, 2003

Date

in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **29-38 and 52-54** finally rejecting Claim(s)

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: **October 3, 2003**

Date

until:

January 3, 2004

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$330.00

Fee for Extension of Time: \$950.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,280.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of **\$1,280.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. _____ in the amount of _____

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**

01/08/2004 AWONDAF1 00000112 10036351

01 FC:1401
02 FC:1253

330.00 OP
950.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
15479A (PC9898B)

In Re Application Of: **David A. Brake, et al.**

Serial No.
10/036351

Filing Date
November 9, 2001

Examiner
J. E. Graser

Group Art Unit
1645

Invention: **NEOSPORA VACCINE**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Signature

Dated: **January 5, 2004**

Peter I. Bernstein
Registration No. 43,497
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343
PIB/XZ:ab

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____ (Date)

Signature

Typed or Printed Name of Person Signing Certificate

***This certificate may only be used if paying by deposit account.**

Certificate of Mailing

I certify that this document and fee is being deposited on **1/5/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Peter I. Bernstein

Typed or Printed Name

CC: